

AGENDA MEMO

CITY COUNCIL MEETING DATE: JULY 12, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: SDR-12374 - APPLICANT: BRAMBLE DEVELOPMENT -
OWNER: MAKENZIE CROSSING, LLC**

THIS ITEM WAS HELD IN ABEYANCE FROM THE JUNE 21, 2006 CITY COUNCIL MEETING AT THE REQUEST OF COUNCILMAN WOLFSON.

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL.

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-11987), Waiver (WVR-11985), Variances (VAR-11982 and VAR-12375), and a Special Use Permit (SUP-11983) shall be required.
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All development shall be in conformance with the site plan, landscape plan date stamped 02/23/06, and building elevations, date stamped 03/14/06, except as amended by conditions herein.
4. The standards for this development shall include a minimum lot size of 11,068 square feet and building height shall not exceed two stories or 35 feet, whichever is less. The maximum number of lots shall not exceed 11 lots. The site plan shall be revised and provided to staff for administrative approval.
5. The setbacks for this development shall be a minimum of 20 feet to the front of the house, as measured from back of sidewalk or from back of curb if no sidewalk is provided, five feet on the side, 21 feet on the corner side, and 15 feet in the rear.
6. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time as Final Map submittal. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications.
7. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.

8. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.
9. Air conditioning units shall not be mounted on rooftops.
10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
11. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
12. Prior to the submittal of a building permit application, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
13. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

14. Show all Sight Visibility Restriction Zones (SVRZ's) adjacent to public streets and include the following note: "No walls, fences, trees, shrubs, utility appurtenances or any other object, other than traffic control devices and street light poles, may be constructed or installed within the Sight Visibility Restriction Zone (S.V.R.Z.) unless said object is maintained at less than 24 inches in height measured from adjacent top of curb, or where no curb exists, a height of 27 inches measured from the top of adjacent asphalt, gravel, or pavement street surface. Area shall be labeled as "Privately Maintained".
15. Private streets shall be identified as "Public Sewer and Public Drainage Easements to be privately maintained".
16. Gated entry drives, if proposed, shall be designed, located and constructed in accordance with Standard Drawing #222A.
17. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services prior to the issuance of any permits.
18. A Homeowner's Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

19. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.
20. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of public improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.
21. The applicant shall coordinate with the Department of Public Works to discuss relocating the access for this subdivision from Ann Road to Maverick Street.

**** STAFF REPORT ****

APPLICATION REQUEST

This is a request for a Site Development Plan Review for a proposed 12-lot single-family residential subdivision on 3.73 acres at the northeast corner of Ann Road and Maverick Street.

EXECUTIVE SUMMARY

The proposed 12-lot single family residential subdivision is accompanied by several companion applications for various necessities or deviations. While the lot sizes and type of development conform to the surrounding area there are areas of concern. The primary concern is the lack of open space. Staff finds that the applicant could either provide the required amount of open space or drop the total number of lots to 11. Doing so would eliminate the need for the Variance as R-PD development only requires open space if the development consists of 12 or more lots. The additional concern is the street intersection off-set that the applicant has requested a Waiver for. There is room to locate the entrance to the development off of Maverick Street at a distance that would not require a Waiver of Title 18. Due to these issues denial of this request is recommended.

BACKGROUND INFORMATION

A) Related Actions

- 04/27/06 The Planning Commission recommended approval of companion items ZON-11987 and VAR-11982 and denial of WVR-11985 concurrently with this application.
- 04/27/06 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #82/ng).

B) Pre-Application Meeting

- 01/23/06 A pre-application meeting was held and elements of this project were discussed. Key issues included discussion on why no access was provided from Maverick Street, what District would be requested, and the requirements of the application submittals. A follow up pre-application meeting was requested.
- 03/07/06 A follow up pre-application meeting was held. Discussion topics included submittal requirements for the Site Development Plan Review, and the necessity of Variance applications.

C) Neighborhood Meetings

A neighborhood meeting is not required as part of this application request, nor was one held.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 4.62
Net Acres: 3.84

B) Existing Land Use

Subject Property: Undeveloped
North: Single Family Residential (Clark County)
South: Single Family Residential
East: Single Family Residential
West: Single Family Residential (Clark County)

C) Planned Land Use

Subject Property: R (Rural Density Residential)
North: R (Rural Density Residential)
South: L (Low Density Residential)
East: R (Rural Density Residential)
West: R (Rural Density Residential)
RNP (Rural Neighborhood Preservation)

D) Existing Zoning

Subject Property: U (Undeveloped) [R (Rural Density Residential) Land Use Designation]
North: Clark County
South: R-1 (Single Family Residential)
East: R-D (Single Family Residential – Restricted)
West: Clark County

E) General Plan Compliance

The subject property is designated as R (Rural Density Residential) under the Centennial Hills Sector Plan of the General Plan. The Rural Density Residential category permits up to 3.59 units per acre. The proposed 12-lot single family residential subdivision would have a density of 2.6 units per acre. While the density of the proposed development meets the requirements of the Rural Density Residential category, the lack of open space for the development fails to meet the requirements of the Residential Planned Development category and therefore is not considered to meet the intent of the General Plan.

PROJECT DESCRIPTION

The plan calls for a 12-lot single family residential subdivision consisting of one and two story homes. Lot sizes range from 11,047 to 14,263 square feet. The project will be gated and is serviced by a single cul-de-sac off Ann Road. The development is not providing landscaping and therefore requires a Variance from this deficiency. Additionally a Variance is necessary to permit an R-PD development on less than five acres. The project also is requesting a Rezoning and a Waiver of Title 18.

ANALYSIS

A) *Zoning Code Compliance*

A1) Development Standards

Pursuant to Title 19.06.040, the applicant has requested the following standards for the proposed R-PD3 development:

| Standards | Requested R-PD3 |
|----------------------|-----------------|
| Min. Lot Size | 11,047 SF |
| Min. Lot Width | 33 Feet |
| Min. Setbacks | |
| • Front | 20 Feet |
| • Side | 5 Feet |
| • Corner | 21 Feet |
| • Rear | 15 Feet |
| Max. Building Height | 2 Stories |

A2) Parking and Traffic Standards

Based on the floor plans each unit contains a minimum of a three car garage. This exceeds the requirements of Title 19.10.

A3) Landscape and Open Space Standards

Pursuant to Title 19.06, the following Open Space Standards apply to the subject proposal:

| Total Acreage | Density | Required | | | Provided | |
|---------------|---------|----------|---------|----------|----------|------|
| | | Ratio | Percent | Area | Percent | Area |
| 4.62 acres | 2.6 | 1.65 | 4.29 % | 8,634 SF | 0 | 0 |

The applicant is not providing open space as part of this development as currently designed. A Variance (VAR-12375) has been requested to permit this deviation from standards. Staff is not in support of this request. An R-PD development is only required to provide open space if it contains 12 or more lots. As this development is proposed to be 12-lots it currently requires open space. If the applicant were to drop one additional lot the proposal would not require open space and the Variance would not be necessary.

B) General Analysis and Discussion

- Zoning

The applicant is requesting a Rezoning to an R-PD3 District. The R-PD3 District would permit up to 3.49 units per acre. The actual density would be 2.6 units per acre. While the proposed R-PD3 District is compatible with the area dropping the one additional lot to eliminate the need for the open space Variance would also alter the rezoning request to R-PD2 as the density would be 2.38 units per acre with 11 lots.

- Site Plan

The site plan for this development shows 12 lots around a single cul-de-sac. Lots vary from 11,048 to 14,263 square feet. The entry, off of Ann Road, will be gated. The street is 39 feet in width and is privately maintained. The layout is standard for development of this type. As this is an R-PD development the applicant has defined the standards in regards to setbacks, lot size, and lot width. The standards compare closely with those of R-D (Single Family Residential-Restricted).

- Waivers

As this is an R-PD development there are no waivers associated with the Site Plan. There is a requested Waiver (WVR-11985) of Title 18.12.160 of street intersection offset requirements that will be heard concurrently with this item.

- Landscape Plan

The landscape plan for the proposed development shows an approximate eight-foot wide landscape buffer along the rights of way. That is the only landscaping proposed for this development and per Title 19.06 does not count toward the total landscaping provided for the project.

- Elevation

Three different elevations are shown. There is a single story option called the Scotty. There are two different two story options called the Morgyn and the Garret. Each of these elevations comes with three design choices. The first is stucco, the second is primarily stone/brick with stucco accents, and the third is primarily stucco with brick/stone accents.

- Floor Plan

There are three floor plans available. Each floor plan is spacious and has a three car garage. Options include a wet bar, courtyard, and patio.

FINDINGS

In order to approve a Site Development Plan application, per Title 19.18.050 the Planning Commission and/or City Council must affirm the following:

1. “The proposed development is compatible with adjacent development and development in the area;”

While the development is compatible with the area the project calls for a Variance (VAR-12375) to allow zero open space. If the applicant were to reduce the proposed number of lots from 12 to 11 the development would not require open space and therefore the Variance would not be required. Title 19.06.040 states that: Each residential planned development containing 12 or dwelling units shall allocate and provide open space and common recreational facilities. The proposed development deviates from this requirement and therefore denial of this request is recommended.

2. “The proposed development is consistent with the General Plan, Title 19, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly-adopted City Plans, policies and Standards;”

The proposed development requires a couple deviations from standards. The project requires two Variances (VAR-11982 and VAR-12375) to allow an R-PD development on less than five acres, and to allow zero open space respectively. Additionally a Waiver of Title 18 is required for street intersection off set requirements. The open space Variance is the primary concern related to this development. Staff finds that the applicant could remove one lot from the proposal to eliminate the need for the Variance or provide the required open space within the development. Due to this self imposed deviation from standards denial of this request is recommended.

3. “Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;”

The intersection is not properly off set from the Ann Road and Maverick Street intersection and the applicant has requested a Waiver (WVR-11985) to permit this deviation from standards. The development is small and circulation problems for traffic in the area would be minimal, if any. This development would only allow right in and right out ingress/egress.

4. “Building and landscape materials are appropriate for the areas and for the City;”

Building and landscape materials are appropriate for the area and the City of Las Vegas.

5. “Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;”

Building design characteristics are not unsightly and will be harmonious and compatible with development in the area.

6. “Appropriate measures are taken to secure and protect the public health, safety and general welfare.”

The proposed development is gated and privately maintained and will not compromise the public health or safety.

PLANNING COMMISSION ACTION

Condition #4 was amended and condition #21 was added as shown. A condition regarding single story structures on the east side of the proposed project.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

14

ASSEMBLY DISTRICT

13

SENATE DISTRICT

9

NOTICES MAILED

270 by Planning Department

APPROVALS

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PROTESTS

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